

PATENT APPLICATION FEE DETERMINATION RECORD

Effective January 1, 2003

Application or Docket Number

10-619-687

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	20	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	20 minus 20 =	* 0
INDEPENDENT CLAIMS	3 minus 3 =	* 0
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

01/12/04

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 25	Minus ** 20	= 5
Independent	* 3	Minus *** 3	= -
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	375.00
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	FEE
BASIC FEE	750.00
X\$18=	
X84=	
+280=	
TOTAL	750

SMALL ENTITY

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	90
X84=	
+280=	
TOTAL ADDIT. FEE	90

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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JUL 13 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1 st Named Inventor: David T. Jennings III	Group Art Unit: 3643
Serial No.: 10/619,687	
Filed: 7/15/2003	Examiner: Timothy D. Collins
Title: Current Modulation-Based Communication from Slave Device	

AMENDMENT & RESPONSE TO RESTRICTION REQUIREMENT

Mailstop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICIAL

Sir:

In response to the Office Action of June 11, 2004, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments/Election begin on page 7 of this paper.

ABILITY	
50 2502	
FEE CODE	VAL: 90
1202	

CERTIFICATE OF MAILING (37 CFR § 1.8a)

I hereby certify that this document (along with any papers referred to as being attached or enclosed) is being facsimile transmitted on the date shown below to: Mailstop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date 08/17/2004 10:00:00 AM 10619687

Thomas J. Brindisi

08/17/2004 DBATES

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90.00 DA

REMARKS


The restriction requirement of June 11, 2004 is traversed because independent method claim 1 ("group I") is identical to apparatus claim 11 ("group II") with the exception of grammatical differences between a process claim and a corresponding apparatus claim (e.g., "establishing," "holding," etc.). In order to expedite prosecution and obviate this issue, however, "group II" is elected with traverse. Though the Examiner may allege some semantic distinction between claims 1 and 11 in support of the assertion that claim 11 fails to encompass the "ABS/Traction Control hydraulic system for an automobile or with a well bore valve system" while claim 1 does encompass them (which seems impossible), it is noted that in any case, new claim 21 unequivocally differs from claim 11 (from which it depends) solely in that it is drawn to the corresponding method of use, thus precluding any conceivable distinction under MPEP 806.05(e).

It is noted that the restriction requirement includes an error on its face with respect to the further subdivision of each of groups I and II, as it states that claims 7-10 of "group I" and claims 14 and 15 of "group II" are directed to "an electronic detonator." Each of those claims is expressly directed to "an electronic blasting system" - NOT "an electronic detonator." It is therefore impossible to respond to the restriction requirement on its terms and choose between two groups part of one of which does not exist. In order to expedite prosecution, however, on the basis that the claimed "electronic blasting system" qualifies as a "computer communication system" while "an electronic detonator" does not, the species of claims 11-17 and 21-25 is elected with traverse.

It is noted that withdrawn claims are subject to reinstatement at such time as pertinent linking claims are found allowable. It is believed that no fees are due with the present response, but if any fee is required, it is hereby requested that such fees be charged to the undersigned's Deposit Account No. 502502.

Respectfully submitted,

Dated: July 12, 2004


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